

**Guadalupe, San Antonio, Mission, and Aransas Rivers and
Mission, Copano, Aransas, and San Antonio Bays
Basin and Bay Area Stakeholder Committee (BBASC)**

Thursday, May 19, 2011

Guadalupe-Blanco River Authority, River Annex
905 Nolan
Seguin, Texas 78155

MINUTES

Members Present: Suzanne Scott, Chair; Dianne Wassenich, Vice Chair; Tyson Broad; Thurman Clements;; Paula DiFonzo; Karl Dreher; James Dodson (for Ken Dunton);; Everett Johnson; Steve Fotiades; Jay Gray; Chris Hale; Jerry James; James Lee Murphy; Mike Mecke; Mike Peters; Steve Clouse (for Robert Puente); Con Mims; Jack Campbell; Kim Stoker; Walter Womack; Garrett Engelking; Everett Johnson; and Jennifer Youngblood.

I. and II. Introductions and Public Comment:

Roll call was taken and a quorum was reached. Jennifer Ellis distributed and discussed the white paper by NWF on potential strategies for meeting environmental flow standards. Chair Suzanne Scott added that the white paper will be a good resource when members consider potential strategies as they relate to the BBASC recommendations.

III. Discussion and Agreement on Agenda

The draft meeting agenda was approved by consensus.

IV. Approval of Minutes from the April 19, 2011 Meeting

Approval of the minutes for the May 4, 2011 meeting as well as the May 19, 2011 meeting will be considered at the next meeting.

**V. Review of TPWD and SAC Comments on BBEST Recommendations
(Dr. Dan Opdyke, Dr. George Ward, and Ed Oborny)**

TPWD Comments on the BBEST Recommendations (Dr. Dan Opdyke):

Dan Opdyke, TPWD, discussed the TPWD comments regarding the BBEST recommendations. He noted that TPWD commended the BBEST committee for their efforts and supported the BBEST recommendation with one exception; the low flow value applied to support critical water quality and habitat needs during very dry times. BBEST Chairman Sam Vaugh added that it was the intent of the BBEST to apply the instream flow recommendation below the last gage in the river. Chair Scott asked if it was possible for HDR to present a comparison of 7Q2, BBEST recommendation, and Q95 at the next meeting using the available 7Q2 data.

Summary of SAC Comments (Dr. George Ward):

SAC member Dr. George Ward presented a slideshow summarizing the SAC review of the science used to develop the BBEST recommendation. He noted that the SAC felt the BBEST

recommendation was the best seen to date. He explained how the SAC used standardized questions to review all BBEST reports, and the written responses prepared for each question. He stated that SAC was concerned that the recommendation was based on flow regimes derived from historic flow and not founded on a clear connection between levels of flow and the metrics of ecosystem health. He commended the BBEST on the new analysis developed and its value in future environmental flow studies. However, the SAC felt the report fell short of its potential due to the complexity of the task, limited resources and time constraints.

VI. BBASC Questions on BBEST Recommendations and SAC - TPWD Comments Instream BBEST Subcommittee (Dr. Thom Hardy, Ed Oborny):

Dr. Thom Hardy responded on behalf of the Instream BBEST Subcommittee. Dr. Hardy felt the SAC comments were accurate and added that additional analysis was completed that did not make it into the report. He noted that the present review process, as defined in SB3, does not allow for revisions in the BBEST report after submittal. He presented several findings of the BBEST that addressed noted concerns. Dr. Hardy explained that the results of the additional work requested by the BBASC to incorporate the newly available data in the analysis and report the effects on the existing recommendation, should be ready by the first week of July. Chairman Vaughn added the BBEST will attempt to address the issues identified by the BBASC through continued interaction between the BBEST and BBASC.

Estuary BBEST Subcommittee (Dr. Norman Johns and Dr. George Ward):

Dr. Norman Johns responded to the TPWD and SAC review of the report. He introduced the members of the estuary subcommittee who were present at the meeting. In response to SAC comments, he stated that findings of the SAC were misleading in that the attainment frequency for the focal species was not universally based on historical statistics. BBEST member Ed Buskey discussed the species/freshwater inflows relationship and why the number of focal species was limited.

VII. Progress Report on Bay and Estuary Time Series Analysis, Ecological Impacts (Dr. Norman Johns)

Dr. Johns presented a progress report on the time series analysis and resulting ecological impacts. He discussed the purpose of indicator species and the problems seen in the low flow regimes. He outlined the issues of concern and opened the floor for a panel discussion with subcommittee members. Subcommittee members noted the white shrimp was not used as an indicator species because of insufficient data to link inflows to white shrimp abundance. Dr. Johns indicated that the subcommittee is still working on the biological implications of each flow regime and trying to determine if a pattern in the occurrence of non-attainment years is meaningful.

Chair Scott stated that members were concerned with what impact will be seen on the environment when existing water rights utilize their full authorizations especially since the results of the analysis show that impacts will occur when flow recommendations are applied.

Brian Perkins, HDR, suggested providing members with some biological opinion on the impact of existing water rights using the Region L baseline (existing water rights and return flows), and their impact would be with the addition of the test projects. He proposed a two

part memo; part one, discussing the impacts of full utilization of existing water rights using the Regions L baseline; and part two addressing whether there are additional concerns for adding projects. Members agreed to direct the technical consultant to perform the additional analysis. BBEST Chair Vaugh stated that a portion of the additional work was within the existing budget. However, additional funds may be needed.

VIII. Technical Evaluations of Application of BBEST Flow Recommendations on New Run-of-the-River Permits (Sam Vaugh, HDR)

Sam Vaugh, HDR, presented the technical evaluations performed for a new run of the river application for a diversion of 10,000 acre-feet as directed by the group. He explained the difference between a run of the river project and a diversion from storage. He described the parameters used and process followed. He discussed the results of applying the three flow options: no environmental flow, Lyons Method, and the BBEST recommendation. He said after looking at a hypothetical application for a 10,000 acre-foot diversion at numerous locations in the basin, the results indicate that an individual 10,000 acre-foot diversion has minimal impact on the stream flow in the basin. He added that the question the BBASC needed to address is whether a 10,000 acre-foot threshold is an appropriate recommendation for projects not requiring pulse flow requirements.

Members discussed the results represented and considered the need for seasonality or additional evaluation for the impact of multiple, simultaneous applications. Mr. Vaugh suggested that an analysis of the impact of using a 10,000 acre-foot diversion at all six locations to determine the cumulative impact. Members agreed by consensus that the group was not ready to make a recommendation and directed the technical consultant to provide further information on seasonality. Members will continue the discussion at the next meeting.

IX. Follow-Up on BBASC Balancing Analysis Requests Regarding Flow Recommendations Relating to Water Supply Projects (Sam Vaugh, HDR)

Sam Vaugh, HDR, discussed the technical analysis of the BBEST recommendations on the two large firm yield projects; San Antonio River Project and the Mid- Basin Project. He noted that the cost figures were revised to correct the errors discovered at the last meeting. He briefly described each project and discussed the results from each of the analyses; CCEFN (Consensus Criteria), no flow restriction, Lyons method and BBEST recommendations for each project. He outlined the increase in firm yield by removing components of the flow recommendations from maximum to no restrictions. Members discussed the results and considered whether further work was needed.

With regard to the balancing scenarios recommended at the May 4th meeting for analysis, Mr. Vaugh presented the options available for hydrologic conditions on pulses available for technical analyses of GSA BBEST recommendations. Chair Scott stated that although at the May 4th meeting an analysis of the TCEQ approved flow framework for the East Texas basins was not recommended as a balancing option to analyze, upon further consideration it may provide a structure to evaluate the impact of modifications to pulses. She noted that instead

of having the consultants create several iterations of pulse scenarios, applying the approved TCEQ structure from the East Texas basins could provide the BBASC with an analysis of the impact modifications to pulses could have on project yields along with an assessment of the impact such changes to yields would have on flows to the bays and estuaries.

Many members of the BBASC expressed concerns with the approved TCEQ structure for the East Texas basins stating that those standards are not be protective of environmental flows. Chair Scott suggested that the analysis would be performed as a balancing evaluation along with the others the BBASC recommended. The data from all the analyses would be used as the basis for the BBASC environmental flow recommendations.

Mr. Vaugh reviewed how the options are weighted in terms of human and environmental needs and the BBEST recommendations.. He discussed the 4 options and some of the ecological and other conditions that would result from the pulses for each. Members discussed the options and agreed by a vote of 15 to 4, the group was comfortable with the use of the “East Texas /TCEQ” structure for evaluation purposes only. Members asked that historical flows be added on future slides of flow frequency curves.

Mr. Vaugh stated that by mid-June the instream subcommittee should be completed with the new task and the estuary subcommittee should have the basic biological opinion on baseline flows.

X. Discussion Regarding Work Plan Development

Chair Scott referenced the draft Work Plan table of contents and work elements distributed at the last meeting as well as the list of potential strategies. She stated the work plan elements were a combination of all the suggested work elements from the BBEST and BBASC. BBEST Chair Vaugh explained the handouts and outlined the steps that can be taken by the BBEST to support the work plan development. He emphasized the importance for the group to determine the directive to the BBEST so time and cost can be allotted appropriately for the June 1st deadline. The following members volunteered to serve on a subcommittee to address the work plan development: Tyson Broad, James Lee Murphy, Mike Peters, and Chair Suzanne Scott.

XI. Discussion Regarding West Warren’s Resignation from BBASC

Members considered the resignation of West Warren and discussed whether to replace Mr. Warren or leave the position vacant. Members agreed by a 12 to 4 vote to appoint Jennifer Ellis, representing Recreational Water Users, to the BBASC.

XII. Set Next Meeting Date, Time and Location (June 1, 2011)

The next meeting will be held at 10:00 a.m. on Wednesday, June 1, 2011 at Cuero

XIII. Public Comment

Vice Chair Dianne Wassenich noted an incident regarding D&L usage of water from San Marcos River.

XIV. Adjourn